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FLOOR DEBATE

May 3, 2005

LB 211

SENATOR CUDABACK: Senator Landis, would you reply to a question of Senator Louden?

SENATOR LANDIS: Senator Louden.

SENATOR LOUDEN: Yes, Senator Landis. As you have in there I understand the bill to be state properties. It's land owned by the states and stuff. How does this affect some of our school lands under the Bureau of Educational Lands and Funds? If perhaps someone is out there repairing a fence or something like that and runs across some buffalo bones and that sort of thing, do they have to immediately stop and then go get a state archeologist or someone to ascertain what the findings are, and that sort of thing? And is...will that affect what goes on on our Board of Educational Lands and Funds land?

SENATOR LANDIS: Let me see if I can identify the answer to that question, LeRoy, because it's...I read what I think is the most important area which is a proposed state or state-funded undertaking, the head of any state agency having jurisdiction over a proposed state or state-funded undertaking--that doesn't sound like that's in this situation--which has potential to affect archeological resources or sites shall, prior to the approval of the expenditure of any state funds on the undertaking--doesn't sound like that applies in this situation--notify the State Archeology Office of the undertaking and cooperate with the office to identify and develop measures to mitigate the effect of the undertaking on any archeological site or resources that is included or eligible for inclusion in the National Registry of Historic Places.

SENATOR LOUDEN: Then you, when you talk about some of the places have passes, then the Board of Educational Lands and Funds would have a pass on this? Is that...

SENATOR LANDIS: For that purpose, it would be if they had a letter of understanding with the Historical Society sufficient to say that whatever obligations they have under federal law would essentially equate what's being done on the state law. My guess is the answer is no. However, where I think the problem...where I think the situation is is the actions that are